

REMARKS

Claims 1-27 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1 and 21-23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Van Thong et al. (U.S. Pat. No. 6,490,553) ("Van Thong"). This rejection is respectfully traversed.

The Van Thong reference is directed to an apparatus and method for controlling the rate of playback of audio data. Specifically, Van Thong is directed to controlling the rate of playback of audio data that has been transcribed in a closed-caption. Van Thong teaches a transcription process of an audio file to create a closed-caption text, which is then aligned with the audio file. The Van Thong reference is very different from the media production system as claimed in the present application.

Applicant respectfully submits that the Van Thong reference does not disclose, discuss or suggest an "editing module" as provided for by independent claim 1. For example, claim 1 states that the editing module responds to "user associations" by "accumulating line-specific portions of the plurality of speech recordings in a combination recording." Because it relates to a system in which one audio track is transcribed and aligned with one closed-captioned/text (See Van Thong at column 7, lines 46-60 and column 8, lines 18-31), the Van Thong reference necessarily cannot teach a combination recording as claimed. The "combination recording" as claimed is created by accumulating line-specific portions of the plurality of speech recordings.

Essentially, the main difference between the present invention and the Van Thong reference can be characterized as follows: the Van Thong reference provides a one-to-one correspondence between an audio track and a closed-caption/text transcript, while the present invention provides for a media production system that aligns each of a plurality of speech recordings with a script and allows a user, with the editing module, to select line-specific portions of each of the plurality of speech recordings, which are then combined in a combination recording in the manner described in the claims. This is not taught, disclosed or suggested by the Van Thong reference.

Applicant has amended the claims as shown above in order to clarify the claims and correct typographical errors. For this reason, and also because the scope of the amended and originally filed claims are of equivalent scope, these amendments do not constitute a narrowing amendment.

Applicant therefore respectfully submits that independent claim 1 is patentable over Van Thong. As claims 21-23 depend upon and include the limitations of independent claim 1, Applicant submits that these claims are also patentable over the cited reference for the same reasons. Applicant requests that the rejection under Section 102(b) be withdrawn.

REJECTION UNDER 35 U.S.C. § 103

Claims 2, 3, 9, 10, 17 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Thong in view of Perez-Mendez et al. (U.S. Pat. No. 5,754,978). Claims 4-8, 11-16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Thong in view of Perez-Mendez and further in view of Bakis et al. (U.S. Pat. No. 6,556,972). Claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Thong in view of

Perez-Mendez et al. and further in view of Goldberg (U.S. Pat. No. 6,223,158). Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Thong in view of Mercs et al. (U.S. Pat. No. 5,999,906). Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Thong in view of Bakis. Claims 26-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Van Thong in view of Sukkar (U.S. Pat. No. 6,292,778). These rejections are respectfully traversed.

For the reasons stated above, Applicant respectfully submits that independent claim 1 is patentable over Van Thong. As claims 2-27 depend upon and include the limitations of independent claim 1, Applicant submits that these claims are also patentable over the cited combinations for the same reasons. Applicant requests that the rejections under Section 103(a) be withdrawn.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite

prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: May 22, 2008

By: /Michael A. Schaldenbrand/
Michael A. Schaldenbrand
Reg. No. 47,923

HARNES, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MAS/gmp